

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

UNITED STATES OF AMERICA)
Plaintiff,)
)
v.) CASE NO. DNCW1:03CR76-2
) (Financial Litigation Unit)
VIKI BROOKS WARREN,)
Defendant,)
)
and)
)
TRANSYLVANIA COMMUNITY)
HOSPITAL, INC.,)
Garnishee.)

ORDER OF CONTINUING GARNISHMENT

THIS MATTER is before the Court on the answer of Transylvania Community Hospital, Inc., as Garnishee. On September 7, 2005, the Honorable Lacy H. Thornburg sentenced the defendant to 66 months of incarceration for her conviction of one count of Conspiracy to defraud the Federal Crop Insurance Program in violation of 18 U.S.C. § 371 and two counts of Aid & abet mail fraud in violation of 18 U.S.C. § 1341, 2. Judgment in the criminal case was filed on September 13, 2005, (Docket No. 184). As part of that Judgment, the defendant was ordered to pay an assessment of \$200.00 and restitution of \$9,150,603.00 to the victims of the crime.

On December 21, 2010, the Court entered a Writ of Continuing Garnishment ("Writ") to Garnishee, the Goodyear Tire & Rubber Co., Inc., ("Garnishee"), (Docket No. 276). The United States is entitled to a wage garnishment of up to 25% of net income and has satisfied the prerequisites set forth in 15 U.S.C. §1673. Defendant was served with the writ of garnishment on February 8, 2011, and Garnishee was served on December 16, 2010. Garnishee filed an Answer on December 29, 2010, stating that at the time of the service of the Writ, Garnishee had in their custody, control or possession property or funds owned by the debtor, including non-exempt,

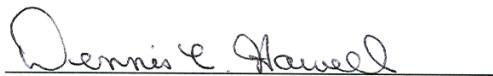
disposable earnings.

IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$5,719,327.07, computed through September 7, 2010. Garnishee will pay the United States up to 25% of Defendant's net earnings which remain after all deductions required by law have been withheld and 100% of all 1099 payments, and Garnishee will continue said payments until the debt to the plaintiff is paid in full or until Garnishee no longer has custody, possession or control of any property belonging to Defendant or until further Order of this court.

Payments should be made payable to the United States Clerk of Court and mailed to the Clerk of the United States District Court, 401 West Trade Street, Charlotte, NC 28202. In order to ensure that each payment is credited properly, the following should be included on each check: Court Number DNCW1:03CR76-2.

The plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the defendant would normally receive may be offset and applied to this debt.

Signed: September 27, 2011



Dennis L. Howell
United States Magistrate Judge

